

1 DALE M. CENDALI (admitted for all purposes
11/30/93)
2 DIANA M. TORRES (SBN 162284)
O'MELVENY & MYERS LLP
3 400 South Hope Street
Los Angeles, CA 90071-2899
4 Telephone: (213) 430-6000
Facsimile: (213) 430-6407
5 dtorres@omm.com

6 Attorneys for Plaintiffs
The United States Olympic Committee and the
7 International Olympic Committee

8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN FRANCISCO DIVISION**

11
12 The United States Olympic
13 Committee and The International
Olympic Committee,

14 Plaintiffs,

15 v.

16 Xclusive Leisure & Hospitality Ltd.;
17 Beijingticketing.com; 2008-
Olympics.com;
18 Beijingolympic2008tickets.com;
Beijingolympictickets2008.com;
19 Olympic-tickets.net;
Olympicticketsbeijing2008.com;
20 Does 1-10, inclusive,

21 Defendants.

Case No. C 08-03514 JSW

**DECLARATION OF XIN GAO IN
SUPPORT OF PLAINTIFFS'
MOTION FOR A TEMPORARY
RESTRAINING ORDER**

1 I, Xin Gao, HEREBY DECLARE AS FOLLOWS:
2

3 1. I am a resident of East Palo Alto, California. All of the facts set forth
4 herein are known to me personally and, if called as a witness, I could testify to them
5 competently.

6 2. On May 13, 2008, I placed an order for one ticket to the Opening
7 Ceremony for the upcoming Olympic Games on the BeijingTicketing.com website
8 in June of 2008.

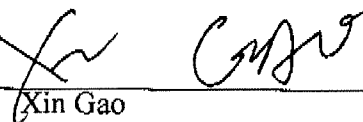
9 3. I believed that the website was an official Beijing Olympic ticket site
10 because of the domain name, BeijingTicketing.com, as well as the fact that the site
11 had the Beijing Olympic logo. I thought that the site was legitimate and that I was
12 buying tickets that were official.

13 4. I have not received any tickets from BeijingTicketing.com.

14 5. I contacted counsel for the United States Olympic Committee and
15 International Olympic Committee on July 29, 2008.

16
17 I declare under penalty of perjury under the laws of the United States that the
18 foregoing is true and correct.

19
20 Executed on this 31st day of July, 2008 at Beijing, China.

21
22
23 
Xin Gao